IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

THURSDAY, THE 22ND MARCH 2007 / 1ST CHAITHRA 1929

Bail Appl..No. 1759 of 2007()

CRIME NO.218/2006 OF PANDALAM POLICE STATION

: PETITIONERS/ACCUSED

RATHEESH,S/O.CHANDRAN,AGED 28 YEARS,
KUTIPALAYIL,MAVARA,KURAMBALA MURI,PANDALAM VILLAGE

BY ADV. SRI.S.HARIKRISHNAN

RESPONDENTS: RESPONDENTS

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1. STATE OF KERALA REPRESENTED BY THE
PUBLIC PROSECUTOR,HIGH COURT OF KERALA,ERNAKULAM.

2. THE SUB INSPECTOR OF POLICE,PANDALAM.

BY PUBLIC PROSECUTOR JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 22/03/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V.RAMKUMAR, J.

Bail Application No. 1759/2007

Dated this 22nd day of March, 2007

O R D E R

The petitioner, who is the accused in Crime No.218/2006 of Pandalam Police Station for an offence punishable under Section 8(2) of the Abkari Act for allegedly having been found in possession of ten litres of illicit arrack on 20.5.2006, seeks anticipatory bail.

2. Consequent on the non appearance of the petitioner before the J.F.C.M, Adoor in C.P.No.23/2007, non bailable warrants of arrest are pending against him.

3. Anticipatory bail cannot be granted to nullify the process issued by a Court of competent jurisdiction. There is no reason why the petitioner should not surrender before the Committal Court and seek regular bail.

4. Accordingly, if the petitioner surrenders before the Committal Court and files an application for regular bail within two weeks from today, the same shall be considered and disposed of preferably on the same day on which it is filed after

examining the explanation offered by the petitioner for his previous non-appearance.

The application is disposed of as above.

V.RAMKUMAR,
JUDGE

mrcs